

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EMMA C., et al.,

Plaintiff,

v.

DELAINE EASTIN, et al.,

Defendants.

NO. C96-4179 TEH

ORDER GRANTING  
PLAINTIFFS' MOTION TO  
COMPEL AND SETTING  
BRIEFING SCHEDULE

With good cause appearing, IT IS HEREBY ORDERED that:

1. Plaintiffs' motion to compel the California Department of Education ("CDE") to produce evidence that the United States Department of Education ("USDOE") has approved CDE's monitoring system is GRANTED as unopposed. CDE shall produce any such evidence on or before **September 10, 2012**. Accordingly, the hearing set for September 17, 2012 is hereby VACATED.

2. In accordance with the Court's December 12, 2011 order to meet and confer on the issue of state monitoring, objections to the Monitor's determinations in his July 16, 2012 memorandum were to be filed in the form of a motion to the court. CDE's August 13, 2012 "response" was not in the form of a motion. CDE is hereby ordered, no later than **September 10, 2012** to file its objections to the Monitor's determinations in accordance with the procedures set out for the filing of motions in the Civil Local Rules. *See* Civ. L.R. 7-2. Such motion shall be noticed for a hearing on **October 15, 2012** in conjunction with Plaintiffs' motion. The briefing schedule shall follow Civil Local Rule 7-3.

3. In accordance with the Monitor's unopposed determination, CDE is directed to raise, in its motion to be filed on or before **September 10, 2012**, any arguments it may wish to make with regard to the Court's jurisdiction over issues related to CDE's monitoring of

1 Ravenswood. *See* Monitor's Determinations at 1-2. CDE is further directed to respond in its  
2 motion to the Monitor's analysis of the apparent conflict between the final paragraph of the  
3 dispute resolution language it proposed in the Fourth Joint Statement and Consent Decree §  
4 13.0. *See* Monitor's Determinations at 10.

5 3. Plaintiffs' request for an extension of time to submit objections to Defendant  
6 CDE's monitoring system is also GRANTED. Any such objections should be filed, in the  
7 form of a motion, no later than **60 days** after the Court issues its ruling on the parties'  
8 motions objecting to the Monitor's July 16, 2012 report.

9  
10 **IT IS SO ORDERED.**

11  
12 Dated: 8/30/2012



13 \_\_\_\_\_  
14 THELTON E. HENDERSON, JUDGE  
15 UNITED STATES DISTRICT COURT  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28